


Application Number 	Application/Control No. 10/563,841	Applicant(s)/Patent under Reexamination KUIPER ET AL.	
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TERMINAL DISCLAIMER	<input checked="checked" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : November 25, 2008	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Henry D. Jefferson

**TERMINAL DISCLAIMER TO OBIVATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
NL 030873

In re Application of: STEIN KUIPER ET AL.

Application No.: 10/563,841

Filed: JANUARY 5, 2006

For: VARIABLE FOCUS SPECTACLES

The owner*, Koninklijke Philips Electronics N.V., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7,311,398 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,357

/Michael E. Belk/
Signature

November 25, 2005
Date

Michael E. Belk
Typed or printed name

914 333-9643
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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